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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**LEHMAN BROTHERS HOLDINGS INC., *et al.*,  
  
Debtors.**

**Chapter 11 Case No.**

**08-13555 (JMP)**

**(Jointly Administered)**

**DECLARATION OF DOV KLEINER**

Pursuant to 28 U.S.C. § 1746, Dov Kleiner declares as follows:

1. I am an attorney admitted to practice before this Court and a member of the law firm of Vinson & Elkins L.L.P., attorneys for Shinsei Bank, Ltd. (“Shinsei”).
2. I am submitting this declaration in support of the Response and Objection of Shinsei Bank, Limited to Debtors’ Motion For An Order Enforcing the Automatic Stay and Holding Shinsei Bank in Contempt, As Supplemented.
3. Attached hereto as Exhibit A is a true and complete copy of the certified English translation of the Petition Concerning Adjournment to Extend Deadline for Submission of Civil Restructuring Plan, dated December 12, 2008, filed by Lehman Brothers Holdings, Inc. (“Lehman”) and Lehman Brothers Asia Holdings (“LB Asia”) with the Tokyo District Court in

connection with the Sunrise Finance Co. Ltd. (“Sunrise”) Japanese insolvency proceeding. A true and complete copy of the Japanese original, as provided to me by Shinsei, is attached hereto as Exhibit B.

4. Attached hereto as Exhibit C is a true and complete copy of the certified English translation of the Application, dated May 22, 2009, filed by Lehman and LB Asia with the Tokyo District Court in connection with the Sunrise Japanese insolvency proceeding. A true and complete copy of the Japanese original, as provided to me by Shinsei, is attached hereto as Exhibit D.

5. Attached hereto as Exhibit E is a true and complete copy of the certified English translation of the Opinion Brief on the Rehabilitation Plan Proposal, dated July 17, 2009, filed by Lehman and LB Asia with the Tokyo District Court in connection with the Sunrise Japanese insolvency proceeding. A true and complete copy of the Japanese original, as provided to me by Shinsei, is attached hereto as Exhibit F.

6. Attached hereto as Exhibit G is a true and complete copy of an excerpt of the transcript of the Section 341 Meeting of Creditors in the present matter held on July 8, 2009.

7. Attached hereto as Exhibit H is a true and complete copy of the Wall Street Journal article, “Lehman Units Argue Bankruptcy,” by Mike Spector and Jeffrey McCracken, dated May 26, 2009.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, NY  
August 21, 2009

/s/ Dov Kleiner  
Dov Kleiner